

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MICHAEL WILLIAMS,)	
)	
Petitioner,)	
)	
v.)	No. 4:08CV831 CEJ
)	
STEVE LARKINS,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on the petition of Michael Williams for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

In 1991, a jury found petitioner guilty of murder and armed criminal action. See e.g., State v. Williams, 853 S.W.2d 371 (Mo. App. 1993). In 1994, petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Williams v. Delo, Case No. 4:94CV1054 ELF (E.D. Mo.). This Court denied petitioner § 2254 relief. Id. The denial of petitioner's § 2254 petition was affirmed by the Eighth Circuit Court of Appeals. Williams v. Bowersox, No. 96-2050 (8th Cir. March 4, 1997). On May 16, 2007, petitioner filed a successive habeas petition. Williams v. Smith, Case No. 4:07CV987 CEJ (E.D. Mo.). This Court transferred petitioner's application for a writ of habeas corpus to the Eighth Circuit Court of Appeals so that petitioner could seek permission to file a successive habeas petition. The Court of Appeals denied petitioner's petition for authorization to file

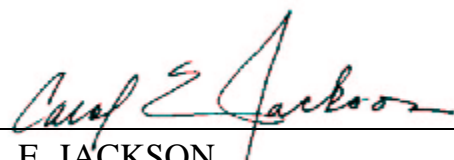
a successive habeas application on April 3, 2008. Williams v. Smith, No. 07-3893 (8th Cir. April 3, 2008). In the instant action, petitioner again seeks habeas corpus relief, asserting that his convictions are unconstitutional.

Rule 4 of the Rules Governing § 2254 Cases in the United States District Courts provides that a district court shall summarily dismiss a § 2254 petition if it plainly appears that the petitioner is not entitled to relief. To the extent that petitioner seeks to relitigate claims that he brought in his original petition, those claims must be denied pursuant to 28 U.S.C. § 2244(b)(1). To the extent that petitioner seeks to bring new claims for habeas relief, petitioner must obtain leave from the United States Court of Appeals for the Eighth Circuit before he can bring those claims in this Court. 28 U.S.C. § 2244(b)(3)(A). Petitioner has not been granted leave to file a successive habeas petition in this Court. As a result, the petition shall be summarily dismissed.

Accordingly,

IT IS HEREBY ORDERED that the petition of Michael Williams for a writ of habeas corpus is **dismissed**.

Dated this 18th day of June, 2008.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE